



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
2005 JUL 25 PM 2:59

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

United States District Court for
the District of Delaware
Office of the Clerk
844 King Street
Wilmington, DE 19801

U. S. DISTRICT COURT - DF
MISC. CASE # 98-71

Re: Update to Notice of Federal Superfund Lien
Diamond State Salvage Superfund Site
U.S. District Court Docket # Misc. Case #98-71

Dear Sir:

Enclosed is an Update to a Notice of Federal Superfund Lien that I wish to file in your office on behalf of the U.S. Environmental Protection Agency ("EPA"). The original Notice of Lien was recorded in your office on September 9, 1998, and docketed as Misc. Case # 98-71. This lien is created pursuant to Section 107(l) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9607(l). The present owner of record of the subject property is Diamond State Salvage Company, Inc.

The lien arises by virtue of statute and is an action "*in rem*." See 42 U.S.C. § 9607(l). Pursuant to 42 U.S.C. § 9607(l)(2)(B) the lien shall remain in force as follows:

"... Such lien shall continue until the liability for the costs (or a judgement against the person arising out of such liability) is satisfied or becomes unenforceable through operation of the statute of limitations provided in section 9613 of this title." See 42 U.S.C. § 9613.

I have enclosed two duplicate copies of the lien. Kindly stamp one set with the date filed and its assigned miscellaneous docket number and return it in the attached self-addressed stamped envelope.



Thank you for your cooperation in this matter. If you have any questions, please contact Michael H. Frankel, Senior Paralegal Specialist at (215) 814-2665.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patricia C. Miller", followed by a long horizontal line extending to the right.

Patricia C. Miller
Senior Assistant Regional Counsel

Enclosures